

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-8 and 10-14 are pending in this application. Claims 1, 3, 7, 13 and 14 are amended; and Claim 9 is canceled without prejudice or disclaimer by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.<sup>1</sup> No new matter is presented.

In the Office Action, Claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph; Claims 1-3 are rejected under 35 U.S.C. § 103(a) as unpatentable over Applicant's Background Material (herein, Background) in view of Carney et al. (U.S. Pub. 2002/0111866, herein Carney); Claims 4-6 and 13 are rejected under 35 U.S.C. § 103(a) as unpatentable over Background in view of Carney and Dukach et al. (U.S. Pub. 2004/0036622; hereinafter Dukach); and Claims 7-12 and 14 are rejected under 35 U.S.C. § 103(a) as unpatentable over Dukach in view of Carney.

The Office Action maintains the rejection of Claims 1-14 under 35 U.S.C. §112, second paragraph. More particularly, the Office Action asserts that the terms “notification”, “switching”, “switching way information” and “management server” are not adequately defined in the specification.

Regarding the term “notification”, Claim 3 is amended to remove this term and instead recite “a communication interface configured to output the content presentation devices identifier stored in said identifier storing unit.” As described at p. 7, ll. 7-17 of the specification, the communication interface 4c is provided, in part, with the capability of notifying the content presentation device IP to the other communication terminal

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<sup>1</sup> E.g., specification original Claim 9, Figs. 4-5 and p. 9, ll. 15-22 and p. 10, l. 36 – p. 12, l. 35.

apparatuses 10. Therefore, the communication interface outputs that presentation device identifier (e.g., IP address) to other devices via a network.

Regarding the term “switching”, Claim 1 defines that this term corresponds to “switch[ing] the content data output from said output unit.” Applicant notes that the interpretation of this term in the Office Action is accurate, and the “switching” does correspond to “changing, as in changing which message is being displayed”. The specification, throughout, describes this process of switching the content that is output from the output unit. P. 7, l. 32 – p. 8, l. 4 of the specification, for example, describes that when the switching control signal is received from the management server 1 through the wireless base stations 61 to 63, the CPU 4b analyzes the switching control signal, determines whether the presented data is switched to the content data which is accumulated in the memory 4d in advance or the content data which is streaming delivered from the management server 1. Thus, the term “switching” clearly corresponds to changing the content that is displayed, as articulated in the Office Action.

Regarding the phrase “switching way information”, Claim 8 recites that “said management information contains switching way information as to whether content data to be replaced is replaced by content data delivered anew or by content already stored in the content presentation device”. Thus, as defined by the language of Claim 8, the “switching way information” is information that indicates “whether content data to be replaced is replaced by content data delivered anew or by content already stored in the content presentation device”. Further, p. 5, ll. 3-11 describes that it is preferred that the management information contains switching way information as to whether content data to be replaced is replaced by content data delivered anew or by content already stored in the content presentation device, and the switching control signal includes the content identifier of the content data for replacement in accordance with the switching way information. Moreover,

p. 7, l. 32 – p. 8, l. 4 of the specification, discussed above, describes how the CPU 4b of the content presentation device analyzes the switching control signal, determines whether the presented data is switched to the content data which is accumulated in the memory 4d in advance or the content data which is streaming delivered from the management server 1. Therefore, the “switching way information” is information transmitted from the management server to each of the content presentation devices that instructs the devices to either replace the content data with content data delivered anew or content already stored in the content presentation device.

Finally, the “management server” corresponds to “management server 1” described in detail throughout the specification. As disclosed in an exemplary embodiment at p. 8, ll. 5-19 of the specification, the management server 1 is a server unit serving to manage the content presentation devices 41 to 43 and, as illustrated in Fig. 3, provided with a database management unit 13 for managing a database 2 in which various types of data are accumulated, a timer unit 12 for periodically measuring the elapsed time, a data generation unit 16 for generating data to be transmitted to the content presentation devices, a data transmitter receiver unit 17 for data transmission and reception with the content presentation devices 41 to 43, a content updating management unit 15 for managing the updating and switching of content, an external information acquisition unit 14 for acquiring live traffic conditions, weather information and so forth from external information services 7, and a control unit 11 for controlling the operations of the respective units 12 to 17. Therefore, the meaning of “management server” is clear from the detailed description thereof presented in the originally filed specification.

Therefore, in contrast to the assertion set forth in the Office Action, one of ordinary skill in the art at the time of the invention would not have to “make interpretive leaps” to understand the meaning of the above noted claim terms, since the terms are clearly defined in

the specification, or in the claim language itself. Accordingly, Applicant respectfully requests that the outstanding rejection of the claims under 35 U.S.C. § 112, second paragraph, be withdrawn.

The Office Action rejects Claims 1-14 under 35 U.S.C. § 103 as unpatentable over two or more of Background, Carney and/or Dukach. Applicant respectfully traverses these rejections, as amended independent Claims 1, 7, 13 and 14 recite novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1, for example, is amended to incorporate a portion of the subject matter of canceled Claim 9 and recites, in part, a plurality of content presentation devices that present content data containing image, sound, text or other information, said content presentation devices comprising:

an output switching unit that switches the content data output from said output unit based on said switching control signal at a time point calculated by ***subtracting a predetermined time from an arrival time of a train in a railroad time table,***

wherein ***said switching control signal is generated and transmitted in accordance with local information relating to a population distribution that changes in respective areas at the predetermined time.***

Independent Claims 7, 13 and 14, while directed to alternative embodiments, are amended to recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 7, 13 and 14.

As disclosed in an exemplary embodiment at p. 9, ll. 20-22 of the specification, the “local information” that is used to determine when the displayed content is to be switched includes statistical data of a population distribution. Further, as disclosed at Fig. 5 and p. 10, l. 36 – p. 12, l. 35, this “local information” including the statistical data of a population distribution is analyzed at the predetermined time from an arrival time of a train to determine when the content is to be switched.

In rejecting similar features previously recited in dependent Claim 9, the Office Action relies on paragraph [0017] of Dukach. This cited portion of Dukach describes using a demographic database that indicates the demographic characteristics of potential audiences both as a function of location and time. The database may be used to select both at what locations and what times messages should be shown. As further described at paragraph [0250] of Dukach, this database of demographic characteristics reflect the characteristics of people who come into or travel through a given area at a given time. These characteristics include different types of people classified by demographic categories such as age, education, size, income, education, behavioral and psychological characteristics, the type of vehicle they are driving, their sex, etc.

Thus, the demographic database alluded to at paragraph [0017] of Dukach is related to the characteristics of people that may be in the presence of the electronic display, and is not “local information relating to *a population distribution that changes in respective areas at the predetermined time*” as recited in amended independent Claims 1, 7, 13 and 14.

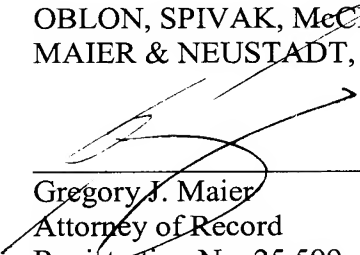
Moreover, Dukach fails to teach or suggest generating and transmitting a switching control signal in accordance with the local information relating to a population distribution that changes in respective areas at the predetermined time, which is *subtracted from an arrival time of a train in a railroad time table*, as also recited in amended independent Claims 1, 7, 13 and 14.

Moreover, Applicant respectfully submits that neither Background, nor Carney, remedy the above noted deficiencies of Dukach. Accordingly, Applicant respectfully requests that the rejection of Claims 1-14 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-8 and 10-14 patentably define over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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